

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 8, 2013

Agenda Item: Amelia Island FAS Right-of-Way Easement (R7)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 5 minutes

Background

On Aug. 30, 2012 the FWP Commission endorsed FWP's request to pursue a perpetual right-of-way easement with the Department of Natural Resources and Conservation (DNRC) that would provide access to the Yellowstone River from the Amelia Island FAS. Amelia Island FAS, a 4.8 acre site acquired in 2008 and located near Hysham, is separated from the river by a 1.8 acre island owned by DNRC. The DNRC and the Montana Board of Land Commissioners have approved a perpetual right-of-way easement at a one-time cost of \$1,800. The Department is recommending that the Commission approve the easement.

Public Involvement Process & Results

FWP prepared an environmental assessment and solicited public comment. A total of eight comments were received encompassing a variety of stakeholders including public river access groups, concerned citizens, anglers, and recreational boat users. All comments were in complete support of the project. FWP's decision notice for the EA stated that the Department would recommend that the Commission approve the perpetual right-of-way easement with DNRC.

Alternatives and Analysis

Alternatively, the Commission could decide not to approve the perpetual right-of-way easement. Access to this stretch of the Yellowstone River would continue to be limited and difficult. The public would continue to launch boats from the pioneered boat ramps on the FAS and upstream of the Hysham Water Treatment Plant, and park in the pioneered parking area on the FAS, causing further erosion, sedimentation of the Yellowstone River, degradation of riparian plant communities, and sedimentation and water contamination from fuel and oil residue upstream of the Hysham Water Treatment Plant intake.

Agency Recommendation & Rationale

FWP recommends that the Commission approve the request to establish a perpetual right-of-way easement with the DNRC. The site is an important location for public access on the Yellowstone River, with the closest FWP fishing access sites located seven miles upstream and 20 miles downstream.

Proposed Motion

I move that the Commission approve acquisition of a perpetual right-of-way easement with the DNRC at the Amelia Island Fishing Access Site on the Yellowstone River.